

BOARD OF SUPERVISORS

Brown County



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EXECUTIVE COMMITTEE

Tom Lund, Chairman, Patrick Moynihan, Jr., Vice-Chairman

Patrick Buckley, Bernie Erickson, Erik Hoyer,

Tom Sieber, John Van Dyck

EXECUTIVE COMMITTEE

Monday, March 9, 2020

5:30 p.m.

Room 200, Northern Building
305 E. Walnut St., Green Bay, WI

NOTICE IS HEREBY GIVEN THAT THE COMMITTEE MAY TAKE ACTION
ON ANY ITEM ON THE AGENDA.

- I. Call meeting to order.
- II. Approve/modify Agenda.
- III. Approve/modify Minutes of February 10, 2020.

Comments from the Public

1. Review Minutes of: None.

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Communications

3. Communication from Supervisors Tran, Brusky & Evans: To direct Corporation Counsel to draft a resolution regarding the siting of wind turbines near homes to the Lt. Governor's Office, the Office of Sustainability and Clean Energy and the Public Service Commission. *Referred from February County Board.*
4. Communication from Supervisor Van Dyck re: Amend Chapter 2 of the County Code of Ordinances, Section 2.05 (Committees of the County Board) to eliminate the Executive Committee as a standing committee of the Brown County Board and amend all other applicable sections of Chapter 2 to accommodate this change. *Referred from February County Board.*
5. Communication from Supervisor Van Dyck re: To amend Chapter 2 of the County Code of Ordinances, Section 2.06 (Administration Committee) and Section 2.10 (Human Services Committee), changing the oversight committee for Child Support from Administration Committee to Human Services Committee. *Action at February Human Services: To support and refer to Executive Committee for consideration.*
6. Communication from Supervisor Van Dyck re: To amend Chapter 2 of the County Code of Ordinances, Section 2.07 (Planning, Development & Transportation Committee) and Section 2.11 (Education and Recreation Committee), changing the oversight committee for U.W. Extension from PD & T to Ed and Rec Committee. *Action at February Ed & Rec: To approve change and forward to Executive Committee.*
7. Communication from Supervisor Nicholson re: Review the Ordinance on Public Comments with possible action. *Action at February Executive Committee: Hold for one month.*

Internal Auditor

8. 2020 Status Update: February 1 – February 29, 2020.

Board of Supervisors

9. 2019 – 2020 Carryover Funds.

County Executive

10. 2019 – 2020 Carryover Funds.

Corporation Counsel

11. 2019 – 2020 Carryover Funds.
12. Oral Report

Resolutions, Ordinances

13. Resolution Approving Budget Carryover Requests from 2019 Budget to 2020 Budget.
14. Resolution Re: Table of Organization Change for UW Extension LTE Conservation Student Intern.
15. Resolution Establishing the Salaries of Certain Elective Officials – County Clerk, County Treasurer and Register of Deeds.
16. 'Sense of the Board' Resolution Requesting that the WI DNR Establish Standards and Perform Baseline PFAS Testing.
17. 'Sense of the Board' Resolution Supporting Passage of 2019 Senate Bill 381 Regarding Eliminating the Statute of Limitations for Certain Sex Offenses.

Department of Administration

18. Director of Administration Report.

Closed Session

19. Discussion of County Social Media Accounts and Supervisor Deslauriers' Request to Cease any Messaging or Social Media Account Usage Until Compliance is Ensured.
a. **Open Session: Motion and Recorded Vote** pursuant to Wis. Stats. Sec. 19.85(1), regarding going into closed session pursuant to Wis. Stats. Sec. 19.85(1)(g), i.e. conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, in particular, regarding Supervisor Deslauriers' Request to Cease any Messaging or Social Media Account Usage Until Compliance is Ensured.
b. **Convene into Closed Session:** Pursuant to Wis. Stats. Sec. 19.85(1)(g), the governmental body shall convene into closed session for purposes of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, in particular, regarding Supervisor Deslauriers' Request to Cease any Messaging or Social Media Account Usage Until Compliance is Ensured.
c. **Reconvene into Open Session:** The governmental body shall reconvene into open session for possible voting and/or other action regarding Supervisor Deslauriers' Request to Cease any Messaging or Social Media Account Usage Until Compliance is Ensured.

Other

20. Audit of the bills.
21. Such other matters as authorized by law.
22. Adjourn.

Tom Lund, Chair

**PROCEEDINGS OF THE BROWN COUNTY
EXECUTIVE COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Executive Committee was held on Monday, February 10, 2020 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, WI.

Present: Chair Lund, Supervisor Ballard (for Supervisor Van Dyck), Supervisor Erickson, Supervisor Sieber, Supervisor Hoyer
Excused: Supervisor Moynihan, Supervisor Van Dyck
Also Present: Director of Administration Chad Weininger, Supervisors Deslauriers, Tran & Borchardt, Corporation Counsel Dave Hemery, Internal Auditor Dan Process, Technology Services Director August Neverman, media and other interested parties

I. Call meeting to order.

The meeting was called to order by Chair Tom Lund at 5:30 pm.

II. Approve/modify agenda.

Motion made by Supervisor Erickson, seconded by Supervisor Buckley to modify the agenda to take Item 4 following Item 2. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/modify Minutes of January 6, 2020.

Motion made by Supervisor Sieber, seconded by Supervisor Hoyer to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public. None.

1. Review Minutes of: None.

Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

Motion made by Supervisor Erickson, seconded by Supervisor Ballard to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Although shown in the proper format here, Item 4 was taken at this time.

Communications

3. Communication from Supervisor Deslauriers re: Pertaining to Brown County Open Records. Because the 2009 Records Retention 'Schedule A' in Brown County Ordinances does not specifically itemize if or how modern forms of communication are saved, I am requesting that Corporation Counsel draft a summary document that will specifically state how Brown County captures and retains emails, text messages, phone call records, videos, and meeting recordings. I am requesting that this summary be presented at the County Board Meeting and be published on the Brown County Website. *Action at December meeting: To hold until the February 2020 Executive Committee meeting.*

Corporation Counsel Dave Hemery and Technology Services Director August Neverman addressed the Committee. Hemery outlined how each of the different types of records referenced in the communication are retained as follows:

-E-Mails – This is done through software and e-mails are retained for at least seven years.

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-Texts – We rely on our carrier to search for texts. Hemery's advice and practice regarding texts is to only conduct business on a county e-mail account or through documents. If you must send a text, his recommendation is to forward the text to the county e-mail after it is sent and then it is retained the same way e-mails are retained.

-Phone Calls – Currently phone records are kept for one year and those records include when the call came in, when the call ended, and the number in question.

-Videos – Currently we are looking at closed captioning county meetings and prices are being reviewed. As far as recording meetings, currently some meetings are recorded by audio which is considered a draft to allow minutes to be prepared. This applies to the six standing Committees and other meetings handled through the County Clerk's office. These are recorded by audio and the audio is what is used to prepare the minutes and then the minutes become the formal record of the proceeding.

-Social Media – This is something that will be discussed in a later communication on tonight's agenda. Hemery informed the social media piece is a work in progress. He is in the process of creating a master list of every county-related social media site. He has requested information from all departments regarding what social media sites they have and who manages them and indicated that the manager of the social media site is the one responsible for public records requests. He further noted some departments may have a number of different accounts. Currently DoTS is not recording the social media sites so it is up to the person operating the social media sites to retain the records. Hemery feels this communication was helpful and is good because we are taking a hard look at the policy and he reiterated it is a work in progress.

When talking records retention, Hemery noted there was a statewide task force organized by the Public Records Board in 2010 that worked on a retention schedule that then became the statewide standard. It is a very lengthy document that sets forth what each department has to do with each type of record. Most counties adopted the retention schedule, but Brown County is one of the counties that has not adopted it.

Director of Administration Chad Weininger said prior to this, because of our records storage and the number of boxes the county is storing, they started looking at the records retention policy. All departments have been reviewed and they are now waiting for a legal opinion from Corporation Counsel on two pieces and when that is done Administration will be bringing forward a new records retention ordinance which will basically adopt the WCA/Wisconsin Records Council recommendation.

Hemery added that this item has been on the agenda for a while and he feels it is very important to give this the time it deserves. This will likely end up with a recommendation to adopt the retention schedule of the State and it will also likely end up with recommendations regarding each type of media identified in the communication by Supervisor Deslauriers.

Hemery continued that he is definitely giving this the attention it needs but noted that his office is extremely busy and he has been working hard, including weekends and evenings, as well as giving back a significant amount of vacation time. He explained further that there have been a number of public records requests lately that take a significant amount of time. Requests may look simple, but when they are sent to the full Board and over 30 departments, he receives a lot of calls from departments and Supervisors with questions and they take a very long time. There are also a number of items that come through his office that are time sensitive that have to be handled in a specific timeframe. The retention policy needs the time put into it that it deserves and Hemery does not want to make any quick recommendations. His suggestion is to keep this on the agenda to be monitored.

Supervisor Deslauriers feels right now e-mail are being handled in a very good way. There are some assumptions with the process that Corporation Counsel has given out to the public for processing open records requests. One of those is concerning receipt of e-mails and right now the county is using Exchange for this. Deslauriers feels Exchange is very poor at auditing receipt of e-mails. One of the requests of Corporation Counsel to the public was to send the request directly to the County Board office to ensure there

would be an audit trail of when the request was received and opened so we know when the clock starts ticking and Exchange is not a very good process for this. Deslauriers used the result of the public records request for his social media as an example and said he received the e-mail, read it in its entirety, and downloaded the attachment, but according to Exchange, unless something is strangely different about the county's e-mail, he does not believe it will show up as a read e-mail. Neverman said the request is in the queue of the engineers and they are able to tell when an e-mail has been opened and noted that there is a standing request which will be fulfilled within the open records timeframe. The engineer would likely be able to say when the e-mail was sent, when it was received and when it was opened in some way. Neverman also mentioned they use a tool called Move-It for any sort of secure communications and that is fully audited and fully logged and anything that requires a chain of trust or any sort of secured communication is done through Move-It.

Deslauriers clarified that the read record for the message is when you click on the message and it un-bolds. Neverman said that is correct. Deslauriers noted that he brings this up because Exchange does not do this in the way Neverman thinks it does; he can fully read a message without it going un-bold and being recorded as read and referenced the record for the response at 7:30 on Sunday and said that he purposely left it that way so they could see what is going on. The process that is in place with going to the County Board office needs to be updated in a way that these receipts can be properly processed because the assumption right now is that when he reads an e-mail, it is logged through Exchange as read, but that is not the case.

Deslauriers asked about security and surveillance camera recordings for County buildings. Neverman informed those are stored for the minimum 121 day requirement per the State recommendation. It is basically locked up and only those with administrative rights have access. There are only a handful of people in the entire county who have the ability to delete anything.

Audio recordings of meetings are retained on the County Board computer in the shared drive, but Weininger noted those recordings are really a draft and could be recorded over because the record of the meeting is actually the minutes. Deslauriers asked that this procedure be more formalized because he feels it is important to have audio records of the meetings in case there is some discrepancy with the recorded minutes. Deslauriers said the audio recordings seem to be treated as more of a temporary file but he does not think there is anything written or codified that obligates the Board office to do so and he would like this included in the retention policy in some way.

Further discussion took place at this time as to when this communication would come back before the Committee again. Weininger clarified that right now for the records retention policy, all department heads have reviewed it and the majority of the concerns have been worked out. The proposed policy is currently in Corporation Counsel's office and there are just a few legal questions that are being researched and they may be working with WCA to have those addressed. When those issues have been resolved, it will go out one more time to the departments per the process and then it will come back to the Committee and Board in the form of an ordinance change.

Motion made by Supervisor Erickson, seconded by Supervisor Buckley to refer to Corporation Counsel to bring back when complete. Vote taken. MOTION CARRIED UNANIMOUSLY

4. Communication from Supervisor Tran: Send resolution to the state in support of abolishing the statute of limitations on reporting of sexual assault. *Referred from January County Board.*

Hemery provided a copy of 2019 Senate Bill 381, a copy of which is attached. Supervisor Tran said this bill pertains to civil lawsuits, not criminal matters. She outlined the analysis by the Legislative Reference Bureau as set forth on the handout. Hemery noted that similar bills are being proposed throughout the nation for both criminal and civil matters. Many times the criminal ones will not pass because of what is at risk - someone's liberty interest, and it can be very hard to defend against something 30 years after the fact. The bill that Tran is asking for support on is regarding civil actions only. It is not any easier if you are being sued to defend yourself from something that happened 30 years ago, but your liberty interest is not at risk as it is a monetary consequence in a civil matter. It is Hemery's opinion that this type of bill would be more likely to

pass than a criminal one. Lund noted there are currently only three states that have no statute of limitations on criminal sexual assault actions.

Tran asked the Committee to authorize Corporation Counsel to draft a resolution in support of 2019 Senate Bill 381.

Motion made by Supervisor Sieber, seconded by Supervisor Buckley to direct Corporation Counsel to draft resolution in support of 2019 Senate Bill 381. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **Communication from Supervisor Deslauriers: That Brown County cease their use of any messaging or social media platform that has the potential to create official records, until a centralized mechanism is in place to capture the records and safeguard from user deletion. *Referred from January County Board.***

Deslauriers informed he was surprised by some of the reactions he got to his initial communication regarding open records. When he brought up social media, the reactions he got from other Supervisors were numerous saying those were not important records. He feels it is not up to us to determine what is important and what is not; it is our obligation to capture and safeguard those records per State statutes and per the Brown County ordinance and provide those to members of the public that ask for them. The other response Deslauriers got was that the county should not be doing business on social media, but that is not up to us whether that is done or not. The county has provided a platform for public discourse on things that they do and they advertise that on social media. While one Supervisor's constituents may or may not demand or expect interaction with the county on social media, other districts may be different.

This communication was put in because of the responses Deslauriers got and he feels it is worthwhile to talk about it because right now there is no centralized mechanism to capture and safeguard the records created on social media.

Hemery agreed that this is an issue that should be discussed, but advised that it should be discussed in closed session as it is an issue that could deal with county liability.

Deslauriers expressed frustration and noted that we talked about social media last time and if these were things that needed to be done in closed session, he does not understand why that was not brought forward sooner. He does not quite understand the liability side and asked Hemery for an explanation. Hemery responded that he reads Deslauriers' communication as basically an accusation of wrong doing by the county that has consequences and that type of thing needs to be done in closed session. Deslauriers said it is not an accusation of wrong doing, but when there is not a centralized mechanism for capture, a conversation on process and records retention should be done in an open meeting so it is part of the record.

Lund said he will take Hemery's advice regarding closed session. Deslauriers said his argument is that this has been delayed since April of last year incrementally over and over and this could have been handled in closed session this evening. Lund noted he did not know that there was a need for closed session on this until Hemery just advised a closed session was needed and, further, this communication was just put in at the last County Board meeting.

Supervisor Ballard said his perception is most of the social media posts that come out of the county are regarding things like events or other things that are also published in some other area and questioned if social media posts would then be part of the records retention policy. Hemery said it needs to be remembered that records retention is one statute and public records requests is another statute. The public records statute does not say you have to keep records; it says if you have records at the time someone requests them, you have to provide them, with different types of exceptions. With regard to records retention, there is one main chapter as well as a number of other chapters scattered throughout which set forth which records need to be kept. First you have to look at the definition of "record" and if what is being talked about meets the definition of "record", then the record retention schedule has to be followed. There are exceptions under the public records law regarding if you have to provide a document if it is freely available elsewhere, but that is under public records law. Under the retention chapter, there is not an exception that if it is published somewhere else that you do not. Hemery said as he goes through this

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further, once he has something fully together it will make more sense. What makes it difficult is that public records law does not require retention of anything. There are different penalties and different consequences for records retention and public records and he wants to get this right when he makes a recommendation as far as what should be done moving forward.

Deslauriers said every month this topic is postponed, we lose more records. He wants the Committee to know that these delays mean we are losing more records. The Committee may not agree with the way he conducts his county business, but every month that goes by, more is lost. He feels from an open government and transparency perspective, this is egregious and now there is another artificial delay because of closed sessions that could have been handled tonight. Lund responded that this could not have been handled in closed session tonight because he cannot put a closed session for a communication on the agenda without it going through the Committee and the Committee deciding what to do. His job is to put the communication on the Committee agenda and it is then up to the Committee to make a decision on a closed session based on the advice of Corporation Counsel. Deslauriers said it was obvious from Corporation Counsel's almost immediate request for closed session that this was going to go that way. Hemery noted that he did not discuss this with anyone prior to this meeting and added again that he has been very busy and does not have time to look at every agenda the week before a meeting and analyze everything to see if there should be a closed session. Communications come fresh from the Board meeting and the Committee then decides what to do with them. Hemery did not speak with any members of the Executive Committee regarding this. Deslauriers noted he is not putting this on Chair Lund or the Committee in any way.

The discussion on this continued with different scenarios being discussed, including the estimated cost of retaining social media records and Hemery advising again that this really needs to be done in closed session.

Deslauriers said the biggest point is we are charged statutorily through State statutes and our own ordinance to safeguard, retain and protect records and we are not doing it. His argument is simply to have a process in place and technology in place prior to engaging in the activities that we are not required to do. If we are losing records, then we need to stop doing what we are doing before we get down the path where it is problematic. All of these things should have been flushed out before we engaged in these platforms that create these records.

Motion made by Supervisor Buckley, seconded by Supervisor Ballard to refer to next month for closed session. Vote taken. MOTION CARRIED UNANIMOUSLY

6. **Communication from Supervisor Deslauriers: For Corporation Counsel to carry out the request of any County Board Supervisors for Wisconsin Counties Association legal advice or legal opinion on pending or potential County business the Supervisor is working on. This advice being a free member benefit of the WCA. *Referred from January County Board.***

Lund informed Supervisors can go through the office and get legal advice from WCA without going through Corporation Counsel. Deslauriers said this has changed and noted that he has contacted WCA about three times during his term to ask for help and in the past he was told by WCA that legal advice was part of the benefit and WCA would refer him to someone to ask questions. Last time he made a request he was referred by WCA to Attorney Andy Philips. Phillips then contacted Hemery and advised him that because Steve Deslauriers is represented he could not give him advice. Supervisors are represented by Corporation Counsel and the attorney contracted by the WCA could not give advice. Deslauriers then talked to Hemery about this and Hemery advised Deslauriers to send him an e-mail and, on Deslauriers behalf, Hemery would then talk to the WCA attorney. Deslauriers said this process seems reasonable, and it is important that when a Supervisor asks for the process to be carried out simply for Corporation Counsel to refer that question to the WCA on their behalf as their representative, that it be done.

Lund feels what Deslauriers is saying that Supervisors can no longer go directly to WCA for advice needs to be verified. Hemery informed he has not spoken with WCA about this, but he has spoken with Andy Philips. Hemery explained that Brown County has retained Andy Philips to represent Brown County in a number of different matters. Hemery has extensive contact with Philips and his firm and has built a very good relationship with Phillip over the years. Hemery does not abuse this relationship and feels Philips knows that

if Hemery is contacting him, he has already fully researched it himself and just wants some backup from Andy.

Hemery outlined a chain of e-mails that were sent between Phillips, Hemery and Deslauriers wherein Hemery advised Deslauriers that Phillips is retained by Hemery's office, but he is not retained to provide advice to County Board members and that legal ethics typically do not allow Phillips to provide advice to a represented individual and that Deslauriers could hire his own attorney. Hemery continued that although Deslauriers can waive the attorney/client privilege, what Hemery is trying to say is Phillips is not going to provide Deslauriers with free legal advice. Deslauriers asked Hemery to request a separate written opinion from WCA's attorney, Andy Phillips. Hemery said this is something that is going to cost money. It is one thing to call Phillips for a quick question, but for anything more than that, Hemery will be charged. The issue Deslauriers was looking for an opinion on is clear in Hemery's mind and he does not feel he needs a second opinion and he is not going to pay for one.

Deslauriers said he called the WCA as a courtesy because he cannot talk directly to Phillips; he was not calling Phillips on his behalf, he was calling him as WCA referred him to Phillips. He feels Phillips misunderstood and thought he was calling him cold for no reason and not through a WCA referral. The attorneys that take referrals from the WCA will no longer engage in that way because of that private attorney relationship that got messed up. Hemery again said Deslauriers can waive that. WCA advised Deslauriers that as a WCA member, he can ask for legal advice and WCA then does the referral to the contracted attorney and that is how the legal advice is provided. He has never circumvented this or never assumed that it would be Phillips that he was referred to. In the process of all of this, he was contacted by Hemery who advised him that he really needs to ask his own attorney first. Buckley questioned why Deslauriers would not go to Hemery first. Deslauriers said that he did go to Hemery first, but he wanted an outside agnostic opinion.

Hemery informed the Code says if a department head wants an outside opinion, they need to go through Corporation Counsel, but there is nothing in the Code about Supervisors. This is being made to look like Hemery is prohibiting a Supervisor from getting an opinion but that is not the case. Any Supervisor can feel free to call any attorney they want, but if they are looking for a formal opinion for Brown County, which is Hemery's client, then he would ask that the Board take a vote on whether or not to seek an outside opinion. If the Board votes for an outside opinion, Hemery is all in favor.

Deslauriers said he did exactly what Hemery asked him to do – put his question in an e-mail that Hemery said he would then forward to Phillips. If this is not the appropriate process, then a conversation should be had with the WCA. Deslauriers does not feel Supervisors should have to beg to get an outside opinion. Hemery responded that outside opinions are something that are handled on an issue by issue basis and when Hemery knows what a Supervisor is asking he typically sends it to Phillips. The communication before us tonight is so that any Supervisor can ask any questions and if that is the case, it is likely that Hemery will lose Phillips as a resource thus losing his best attorney.

Lund noted past practice has been for a Supervisor to talk to the Chair or Vice Chair of the Board. There is a difference between legal advice and an opinion. There have been times that the County Board has disagreed with the position of Corporation Counsel and then the County Board goes out and gets an outside opinion. The County Board asks for these opinions as the strength of the County Board; not as one member of the Board. Hemery added that WCA will provide general legal advice, but the opinion being talked about here is something that would take a lot of time and research and someone is going to get a bill for that.

Buckley said if a Supervisor is looking for an opinion from the WCA, the request should go through the Board Chair and/or Executive Committee to see if the expense is warranted. He would not expect WCA to give legal opinions to every County Supervisor and it is ridiculous to think they would offer something like that. Deslauriers said that is a decision of the WCA and indicated he would be glad to waste his time to clarify what WCA has to offer when it comes to legal opinions. He can bring back whatever he learns to next month's meeting. He wants to be sure that if WCA offers free legal service, Supervisors can avail themselves of that when they need it.

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Motion made by Supervisor Buckley, seconded by Supervisor Ballard to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

7. Communication from Supervisor Nicholson: Review the ordinance on Public Comments with possible action. *Referred from January County Board.*

Motion made by Supervisor Erickson, seconded by Supervisor Sieber to hold for one month. Vote taken. MOTION CARRIED UNANIMOUSLY

8. Communication from Supervisor Borchardt: To recognize January as Human Trafficking month here in Brown County. *Referred from January County Board.*

Supervisor Borchardt informed she can bring this back next year since January is already passed. Lund asked how Borchardt would like to recognize Human Trafficking month and Borchardt said she would like to see it observed in a similar way as Mental Health Month. Perhaps something coming out of Public Safety or Human Services or on the County website with notifications of different meetings, gatherings or resources.

Motion made by Supervisor Erickson, seconded by Supervisor Ballard to approve for January 2021. Vote taken. MOTION CARRIED UNANIMOUSLY

Internal Auditor

9. 2020 Status Update: January 1 – January 31, 2020.

Internal Auditor Dan Process informed Veterans Services has addressed the gift card issue by pretty much eliminating the gift cards. With regard to the Sheriff and fundraising, Process received a letter from the Sheriff that they have had a meeting with the Benevolent Association and they have agreed to assist.

Ballard asked Process about the POS systems in the County and if each system has a separate vendor. Process believes there may be different vendors or systems for each point of sale. Ballard asked how glitches are rectified when they happen with the POS. Process said he can look at the different vendors we have and discuss it with TS as it is likely an issue for them as well. Many times the POS system depends on what type of activities the institution is trying to serve.

Motion made by Supervisor Erickson, seconded by Supervisor Buckley to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Corporation Counsel

10. Oral Report.

Hemery was asked about the workload in his office. He informed that one of the staff deputies has been moved to Risk Management, but is still able to help out in Corporation Counsel when needed. Ballard asked if the open records requests ebb and flow or if they are pretty consistent. Hemery responded that they ebb and flow and the larger ones can take most of a week to handle. His new deputy has been doing quite a few of these requests, but the more odd requests are handled by Hemery himself. Ballard asked if Hemery is able to pass things off to other attorneys when he is busy. Hemery explained the first thing that is done with a public records request is a balancing test. First you ascertain if you have the records, and then the statutes are reviewed for any exceptions and case law exceptions are also looked at. If the records are available and there are no exceptions in the Statutes or case law, a balancing test still has to be done to balance whether or not the public interest and disclosure of the record is outweighed by an even greater public interest in keeping the records confidential and he used rape cases as an example of this. He can farm requests out, but the balancing test still must be done and Hemery feels it is good to have Corporation Counsel do the balancing as he feels he is most in tune with the Board regarding what factors are very important and that type of thing. Overall his office is doing okay.

Hoyer asked if there has to be a rationale given when someone submits an open records request. Hemery responded that no rationale needs to be given and, further, they can be done anonymously.

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Motion made by Supervisor Buckley, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Resolutions, Ordinances

11. Resolution Regarding Table of Organization Change for the Health and Human Services Department – Community Services Division Social Worker/Case Manager (CLTS).

Motion made by Supervisor Erickson, seconded by Supervisor Ballard to suspend the rules to take Items 11 – 15 together. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Erickson, seconded by Supervisor Ballard to approve Items 11 – 15. Vote taken. MOTION CARRIED UNANIMOUSLY

12. Resolution Regarding Table of Organization Change for the Health and Human Services Department – Community Treatment Center Division Dietary Unit.

See action at Item 11 above.

13. Resolution Regarding Table of Organization Change for UW Extension LTE 4-H Program Assistant.

See action at Item 11 above.

14. Resolution To Approve Gas Line Easement Regarding the Devils River State Trail.

See action at Item 11 above.

15. Resolution Authorizing County Trunk Highway Jurisdictional Revisions on County Highway S, in the Town of Lawrence, Brown County.

See action at Item 11 above.

Department of Administration & Human Resources

16. Director of Administration Report.

Motion made by Supervisor Sieber, seconded by Supervisor Hoyer to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

17. Human Resources Report.

Weininger said Human Resources continues to work on Chapter 4 to be sure that there is continuity with the employee handbook and they also continue to work on various policies throughout the County.

Motion made by Supervisor Sieber, seconded by Supervisor Ballard to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

County Executive - No report.

Other

18. Audit of the bills.

Motion made by Supervisor Ballard, seconded by Supervisor Buckley to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Weininger said there has always been a lot of talk about auditing the bills and why this is included on the agendas as the bills have already been paid. He has worked with the Internal Auditor and Corporation Counsel on this and it was determined that technically these do not need to be approved. Chapter 2 could be

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changed to take this requirement out of the Committee requirements. He noted that the bills would still be posted publicly.

Process questioned if there is any value to the paid bills reports that are sent to each of the Committees as well as the bills over \$5,000. He does not have a problem doing this if there is value, but noted that the bills have to be reviewed by department heads to see if there is information on the bills that need to be redacted. For example, for Public Safety, all of the names of the witnesses need to be redacted. Process noted that the process has to be done whether the bills are provided to the Committees or published. In the past, the bills were only seen by the Committee members and not published. Lund asked Process to include this as an agenda item on the next agenda or on the April agenda.

19. Such other matters as authorized by law. None.

20. Adjourn.

Motion made by Supervisor Ballard, seconded by Supervisor Erickson to adjourn at 6:55 pm. Vote taken.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Administrative Specialist

///

ATTORNEY BILLS SUBMITTED TO THE EXECUTIVE COMMITTEE FOR March 9, 2020 MEETING					
LAW FIRM	INVOICE NUMBER	DATE	AMOUNT	FOR	
ATTY. GARY WICKERT	12W27	2/26/2020	\$ 6,136.00	Airport General	
VonBriesen	312229	2/13/2020	\$ 68.00	Corporation Counsel	
VonBriesen	312279	2/14/2020	\$ 399.00	Corporation Counsel	
VonBriesen	304942	11/25/2019	\$ 29.50	BCTPA	
VonBriesen	300844	10/14/2019	\$ 3,591.72	BCTPA	
VonBriesen	312228	2/13/2020	\$ 1,280.00	Corporation Counsel	
VonBriesen	312230	2/13/2020	\$ 3,780.00	Syble Hopp	
Michael Best	1692636	2/13/2020	\$ 1,992.00	Resource Recovery	

GARY A. WICKERT, S.C.*Attorney and Counselor at Law*

801 E. WALNUT • P.O. BOX 1656

GREEN BAY, WISCONSIN 54305

Gary A. Wickert

Telephone (920) 433-9425

Fax (920) 432-9188
wicklaw@gbonline.com

February 26, 2020

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FEB 26 2020

Green Bay
Austin
Straubel
Int'l Airport**RECEIVED BY**
MAR 02 2020Brown County
Corporation CounselBrown County Airport
P.O. Box 23600
Green Bay WI 54305-3600Re: General Matters
Our File No. 12 W 27**STATEMENT**

<u>DATE</u>	<u>FOR SERVICES RENDERED:</u>	<u>HOURS</u>
1/28	Review information from Marty Piette re: warehouse project;	
	Phone conference with Marty Piette, Sue Bertrand, and Rachel Engeler re: warehouse project;	2.25
	Begin review of road vacation files and taxi files re: ground lease	1.25
1/30	Review files, etc., re: PILOTS, road vacation, non-aeronautical lease, etc. - warehouse project;	
	Letter to Marty Piette re: warehouse project	3.50
1/31	Review and revise letter re: warehouse project	.15
2/3	Phone conference with Marty Piette, Sue Bertrand, and Rachel Engeler re: warehouse project	.65
2/4	Email from Marty Piette re: concurrent use - FAA - warehouse;	.10
	Review information re: PILOT - warehouse	.35
2/5	Email from Sue Bertrand re: CAVU/Pilotsmith;	.10
	Review Consent to Sublease - CAVU and Pilotsmith;	
	Review Sublease - Executive Air;	
	Phone conference with Sue Bertrand re: Consent to Sublease - Pilotsmith/CAVU;	1.40
	Email from Sue Bertrand re: Hobart/warehouse;	.10
	Review email string re: warehouse	.30
2/6	Email from Marty Piette re: Hobart/warehouse;	.10
	Email from Sue Bertrand re: Pilotsmith	.10
2/7	Phone conference with Sue Bertrand re: Jimbo's Express and Pilotsmith;	
	Review email information re: Jimbo's Express;	.65
	Prepare Consent to Sublease - Executive Air/Pilotsmith;	
2/10	Email to Sue Bertrand re: Consent to Sublease	.60
	Phone conference with Sue Bertrand re: Pilotsmith Consent to Sublease	.40
2/11	Review and revise Free Speech Application and Policy/Rules;	
	Phone conference with Sue Bertrand re: Free Speech;	
	Email to Marty Piette re: Free Speech	1.30

Page Two
February 26, 2020

2/12	Email from Sue Bertrand re: Aria;	.10
	Email from Sue Bertrand re: Jet Air refinance;	.10
	Review Jet Air/Denmark State Bank (DSB) First Amendment to Collateral Assignment and First Amendment to Consent and Non-Disturbance and review 2018 Jet/DSB refinance documents;	
	Email to Sue Bertrand/Marty Piette re: Jet Air/DSB 2020 refinance documents;	
	Review warehouse lease file re: meeting;	1.75
	Meeting and conference call at Airport re: warehouse lease	2.50
2/17	Email from Marty Piette re: warehouse/FAA;	.10
	Email from Sue Bertrand re: Uber;	.10
	Review Permit-TNC-Uber re: change;	
	Phone conference with Sue Bertrand re: TNC Permit/Uber;	.75
	Email from Sue Bertrand re: Charlie Smith;	.10
	Email from Z. Zweifler re: warehouse	.10
2/19	Review Pilotsmith and correspondence from Sue Bertrand re: Pilotsmith and Uber;	1.00
	Phone conference with Sue Bertrand re: Uber	.15
2/21	Phone conference with Sue Bertrand re: Pilotsmith and Uber;	.15
	Conference call with Sue Bertrand, Marty Piette, Rachel Engeler, and Michelle Yokeama, et al. re: Uber Permit;	.30
	Phone conference with Marty Piette, Sue Bertrand, and Rachel Engeler re: Uber.	.30
	TOTAL HOURS:	<u>20.80</u>

20.80 HOURS @ \$295.00 PER HOUR = \$6,136.00

AMOUNT DUE ON ACCOUNT: \$6,136.00

Thank you.
GAW:prn

C.K.
M. K.
2.27-2020

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FEB 20 2020

David Hemery, Corporation Counsel
Brown County Corporation Counsel
Northern Building - Room 680
305 East Walnut Street
PO Box 23600
Green Bay, WI 54305-3600

Brown County
Corporation Counsel

Michael Best & Friedrich LLP
Attorneys at Law
One South Pinckney Street
Suite 700
P.O. Box 1806
Madison, WI 53701-1806
Phone 608.257.3501
Fax 608.283.2275
www.michaelbest.com

EIN 39-0934985

Remittance for Payments:

Michael Best & Friedrich LLP
PO Box 88462
Milwaukee, WI 53288-0462

Wire Transfer Instructions

Bank Name BMO Harris Bank, N.A.
111 W. Monroe Street, Chicago, IL 60603
ABA Routing # 071000288
Name of Acct: Michael Best & Friedrich LLP
Acct # 0024122010
SWIFT Code HATRUS44

Invoice Date February 13, 2020
Invoice No. 1692636

Client/Matter 018236-0023 Implementation of Brown County Landfill Siting Agreement

For professional services rendered through January 31, 2020, as follows:

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Total</u>
1/10/20	D Crass	Briefly review landfill agreement concerning detection of PALs; review correspondence from Foth reporting same; provide feedback to Mr. Haen regarding same.	0.50	\$ 307.50
1/13/20	T Fritsch	Phone conference with DACrass re: Brown County sampling results; review email correspondence concerning same.	0.20	61.00
1/13/20	D Crass	Telephone conference with Mr. Haen.	0.20	123.00
1/14/20	T Fritsch	Review baseline sampling private well test results and Landfill Siting Agreement to ascertain Brown County's obligation to notify Local Monitoring Committee of results of sampling.	1.50	457.50
1/15/20	T Fritsch	Draft email to DACrass summarizing analysis of Landfill Siting Agreement as it relates to Brown County's obligation to provide background well monitoring results to the Local Monitoring Committee established thereunder.	1.00	305.00
1/16/20	D Crass	Review analysis of landfill agreement concerning notification to LMC of sample results of private potable wells prepared by TTFritsch; revise same into message to client transmitting opinion concerning same.	0.50	307.50
1/17/20	D Crass	Exchange of e-correspondence with Mr. Haen.	0.20	123.00
1/27/20	D Crass	Prepare e-correspondence to Mr. Haen; review proposed amendment materials from Attorney Marek; forward same to TTFritsch for his review.	0.50	307.50

2

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Total</u>
Total Hours and Services			4.60	\$ 1,992.00
Total Services				\$ 1,992.00
Total Disbursements				<u>0.00</u>
Total This Invoice				<u>\$ 1,992.00</u>

Outstanding Invoices:

<u>Date</u>	<u>Invoice</u>	<u>Total</u>	<u>Credits</u>	<u>Balance</u>
1/9/20	1685106	\$ 292.50	\$ 0.00	\$ 292.50
2/13/20	1692636	1,992.00	0.00	<u>1,992.00</u>
Outstanding Due:				<u>2,284.50</u>

Outstanding Invoice Aging:

0-30	31-60	61-90	91-120	121+
1,992.00	292.50	0.00	0.00	0.00

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312229
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: 911 Provider Contract
Matter Number: 009948-00027

Total Fees	\$	<u>68.00</u>
Total Due This Invoice	\$	68.00

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
12/02/19	SLN	E-mails with Mr. Martin regarding status of payment and follow up with Mr. Hemery regarding same (.1); conference with Mr. Phillips regarding finalization of settlement (.1).	0.20	68.00
Total Fees			0.20	\$68.00

Timekeeper Summary

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steven L. Nelson	Shareholder	0.20	340.00	68.00
Total		0.20		\$68.00
Matter Total				\$68.00

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312229
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: 911 Provider Contract
Matter Number: 009948-00027

Total Fees	\$	<u>68.00</u>
Total Due This Invoice	\$	68.00

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FEB 18 2020

Brown County
Corporation Counsel

100.016.001.5716

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 14, 2020
Invoice Number: 312279
Attorney: James R. Macy
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: 2020 Deputy Negotiations
Matter Number: 009948-00028

Total Fees	\$	<u>399.00</u>
Total Due This Invoice	\$	399.00
Previous Balance Due	\$	<u>2,655.28</u>
Amount Due	\$	<u><u>3,054.28</u></u>

Please note that the charges contained in this invoice reflect increased rates as of Jan. 1, 2020. Existing special fee arrangements or flat fees will not be impacted.

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
01/08/20	JRM	Emails concerning status of tentative agreement; preparation of further modifications to agreement and forwarding to Union's attorney and to County.	1.10	313.50
01/23/20	JRM	Emails from Union's counsel confirming ratification.	0.30	85.50

Total Fees	1.40	\$399.00
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Previous Balance Due	\$2,655.28
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Matter Total	\$3,054.28
---------------------	-------------------

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 14, 2020
Invoice Number: 312279
Attorney: James R. Macy
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: 2020 Deputy Negotiations
Matter Number: 009948-00028

Total Fees	\$ <u>399.00</u>
Total Due This Invoice	\$ 399.00
Previous Balance Due	\$ <u>2,655.28</u>
Amount Due	\$ <u>3,054.28</u>

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312228
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: General
Matter Number: 009948-00008

Total Fees	\$	<u>1,280.00</u>
Total Due This Invoice	\$	1,280.00

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
12/27/19	AEW	Review Brookwood condominium declaration, plat and bylaws and question from County as to whether or not the plat creates an illegal land division; review Brown County ordinances and Village of Ashwaubenon's land division rules; telephone conference with T. VanHout and with T. VanHout and G. Gerbers re: land divisions created by the condo plat.	1.50	480.00
12/27/19	CJS	Review condo plat approval submissions relating to Titletown Development; review applicable local ordinances relating to client's concerns over illegal proposed division (slicing off future expansion area); communicate via phone conference and emails with G. Gerbers and T. Van Hout regarding same in advance of their meeting today with the developer.	2.50	800.00
Total Fees			4.00	\$1,280.00

Timekeeper Summary

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Anne E. Wal	Shareholder	1.50	320.00	480.00
Christopher J. Schreiber	Shareholder	2.50	320.00	800.00
Total		4.00		\$1,280.00
Matter Total				\$1,280.00

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312228
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: General
Matter Number: 009948-00008

Total Fees	\$	<u>1,280.00</u>
Total Due This Invoice	\$	1,280.00

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312230
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: CDEB Analysis
Matter Number: 009948-00029

Total Fees	\$	<u>3,780.00</u>
Total Due This Invoice	\$	3,780.00

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
12/10/19	ATP	Analysis of statutes regarding CDEB (.2); telephone conference with Attorney Gerbers (.1); meeting with Atty Curtis regarding analysis (.1).	0.40	126.00
12/10/19	JJC	Office conference to discuss bid process involving CDEB project.	0.20	55.00
12/29/19	JJC	Detailed review of 1969 conveyance, 1969-1971 Brown County Board Resolutions, relevant Brown County Board minutes, and Syble Hopp School background documents (.8); detailed review of Wis. Stats. 115.817, 59.52, 66.0901, and related case law and attorneys general opinions (1.2); prepare background section of memorandum (.9).	2.90	797.50
12/30/19	JJC	Prepare analysis section of memorandum (2.9); continue detailed review of 1969 conveyance, 1969-1971 Brown County Board Resolutions, relevant Brown County Board minutes, Syble Hopp School background documents, Wis. Stats. 115.817, 59.52, 66.0901, and related case law and attorneys general opinions for purposes of drafting same (.4).	3.30	907.50
12/31/19	ATP	Revisions to memorandum and emails regarding analysis.	0.50	157.50
12/31/19	BJC	Review relevant law regarding Children with Disabilities education bond authority to own land independently from county.	1.70	467.50
01/01/20	JJC	Discuss edits to memorandum analyzing application of bid requirements to expansion of CDEB administered facility.	0.30	85.50
01/02/20	ATP	Revisions to analysis contained in memorandum.	0.30	94.50
01/02/20	BJC	Review relevant law and draft memo regarding CDEB authority to independently own property.	3.60	1,026.00
01/03/20	ATP	Telephone conference with Ms. Maricque and Ms. Pahlow regarding analysis.	0.20	63.00
Total Fees			13.40	\$3,780.00

Timekeeper Summary

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Bennett J. Conard	Associate	3.60	285.00	1,026.00
Bennett J. Conard	Associate	1.70	275.00	467.50
Jacob J. Curtis	Shareholder	0.30	285.00	85.50
Jacob J. Curtis	Shareholder	6.40	275.00	1,760.00

Brown County

Invoice Date:
Invoice Number:
Matter Number:

February 13, 2020
312230
009948-00029

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Andrew T. Phillips	Shareholder	1.40	315.00	441.00
		Total	13.40	\$3,780.00
		Matter Total		\$3,780.00

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: February 13, 2020
Invoice Number: 312230
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through January 31, 2020

Matter: CDEB Analysis
Matter Number: 009948-00029

Total Fees	\$	<u>3,780.00</u>
Total Due This Invoice	\$	3,780.00

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Brown County
Corporation Counsel

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: October 14, 2019
Invoice Number: 300844
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through September 30, 2019

Matter: BCTPA Litigation
Matter Number: 009948-00023

Total Fees	\$	3,456.00
Total Costs	\$	<u>135.72</u>
Total Due This Invoice	\$	3,591.72
 Amount Due	 \$	 <u>3,591.72</u>

Brown County

Invoice Date:
Invoice Number:
Matter Number:

October 14, 2019
300844
009948-00023

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/03/19	SLN		0.80	272.00
09/04/19	SLN		1.50	510.00
09/05/19	SLN		0.60	204.00
09/06/19	SLN		0.70	238.00
09/09/19	SLN		0.10	34.00
09/10/19	SLN		0.40	136.00
09/11/19	SC		0.80	256.00
09/11/19	SLN		0.30	102.00
09/12/19	ATP		0.70	196.00
09/12/19	SC		1.00	320.00
09/12/19	SLN		1.40	476.00

Brown County

Invoice Date:
Invoice Number:
Matter Number:

October 14, 2019
300844
009948-00023

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/13/19	SLN		0.30	102.00
09/13/19	SC		1.80	576.00
09/18/19	SLN		0.10	34.00
Total Fees			10.50	\$3,456.00

Timekeeper Summary

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steven L. Nelson	Shareholder	6.20	340.00	2,108.00
Smitha Chintamaneni	Shareholder	3.60	320.00	1,152.00
Andrew T. Phillips	Shareholder	0.70	280.00	196.00
Total		10.50		\$3,456.00

Cost Detail

<u>Date</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>
09/30/19		1.00	135.72
Total Costs			\$135.72
Matter Total			\$3,591.72

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: October 14, 2019
Invoice Number: 300844
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

*For Professional Services through **September 30, 2019***

Matter: BCTPA Litigation
Matter Number: 009948-00023

Total Fees	\$	3,456.00
Total Costs	\$	<u>135.72</u>
Total Due This Invoice	\$	3,591.72
 Amount Due	 \$	 <u>3,591.72</u>

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Brown County
Corporation Counsel

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: November 25, 2019
Invoice Number: 304942
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through October 31, 2019

Matter: BCTPA Litigation
Matter Number: 009948-00023

Total Costs \$ 29.50

Total Due This Invoice \$ 29.50

Amount Due \$ 29.50

Brown County

Invoice Date:

November 25, 2019

Invoice Number:

304942

Matter Number:

009948-00023

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
10/01/19	SLN		0.30	0.00
10/02/19	SLN		0.30	0.00
Total Fees			0.60	\$0.00

Timekeeper Summary

<u>Name</u>	<u>Timekeeper Title</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Steven L. Nelson	Shareholder	0.60	0.00	0.00
Total		0.60		\$0.00

Cost Detail

<u>Date</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>
10/09/19		1.00	29.50
Total Costs			\$29.50
Matter Total			\$29.50

Brown County
Attn: David Hemery
305 East Walnut Street
P.O. Box 23600
Green Bay, WI 54305-3600

Invoice Date: November 25, 2019
Invoice Number: 304942
Attorney: Andrew T. Phillips
Tax ID: 39-1576289

For Professional Services through October 31, 2019

Matter: BCTPA Litigation
Matter Number: 009948-00023

Total Costs	\$	<u>29.50</u>
Total Due This Invoice	\$	29.50
Amount Due	\$	<u>29.50</u>

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY
BOARD OF SUPERVISORS
GREEN BAY, WISCONSIN

Meeting Date:

19 Feb 2020

Agenda No.:

Exec Cmte

Motion from the Floor

I make the following motion:

To Corp Council to draft a resolution regarding
the siting of wind turbines near homes to the
Jct. Governor's Office, the Office of Sustainability
and Clean Energy & the Public Service Commission.

Signed:

Alex Tran, Joan Brusky & Pat Evans

District No.

21

Joan Brusky District 14
Pat Evans Dist. 9

(Please deliver to County Clerk after motion is made for recording into minutes.)

Brown County Board of Supervisors
County Board Meeting of February 19, 2020

Communication from Supervisor Van Dyck, District 17

Amend Chapter 2 of the County Code of Ordinances, Section 2.05 (Committees of the County Board) to eliminate the Executive Committee as a standing committee of the Brown County Board and amend all other applicable sections of Chapter 2 to accommodate this change.

Referred to Executive Committee

Brown County Board of Supervisors
County Board Meeting of February 19, 2020

Communication from Supervisor Van Dyck, District 17

Amend Chapter 2 of the County Code of Ordinances, Section 2.06 (Administration Committee) and Section 2.10 (Human Services Committee), changing the oversight committee for Child Support from Administration Committee to Human Services Committee.

Referred to Administration and Human Services Committees

**Brown County Board of Supervisors
County Board Meeting of February 19, 2020**

Communication from Supervisor Van Dyck, District 17

Amend Chapter 2 of the County Code of Ordinances, Section 2.07 (Planning, Development & Transportation Committee) and Section 2.11 (Education and Recreation Committee), changing the oversight committee for U.W. Extension from PD&T to ED & REC Committee.

Referred to PD&T and ED & REC Committees

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY
BOARD OF SUPERVISORS
GREEN BAY, WISCONSIN

Meeting Date:

1/15/20

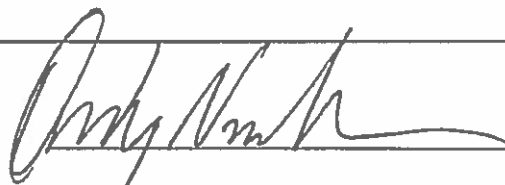
Agenda No.:

Motion from the Floor

I make the following motion:

Review the ordinance on Public Comments
with possible action.

Signed:



District No.

#3

(Please deliver to County Clerk after motion is made for recording into minutes.)

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET
P. O. BOX 23600

GREEN BAY, WISCONSIN 54305-3600

Phone (920) 448-4014 Fax (920) 448-6221

E-mail: Danny.Process@browncountywi.gov

DAN PROCESS
INTERNAL AUDITOR

Date: February 24, 2020

To: Executive Committee

From: Dan Process, Internal Auditor

Re: Status Update (February 1 – February 29, 2020)

Listed below is a summary of the projects, duties and other miscellaneous activities completed or in-progress for the period indicated.

1. Projects
 - a. In-progress: Position Budgeting Review (Draft Report)
 - b. In-progress: 4th Quarter Petty Cash and Cash on Hand Review
 - c. In-progress: Review of Judicial Assistant Work Schedules
 - d. In-progress: Review of Jail Fees
2. Standard Monthly Duties
 - a. Review – Clerk of Courts Bank Reconciliation
 - b. Preparation & Review – Bills over \$5,000 Report
 - c. Preparation & Review – Committee Paid Bills Report
3. Other Miscellaneous Activity
 - a. Open Records Request (1)

If you have any questions regarding this information, please contact me at your convenience.

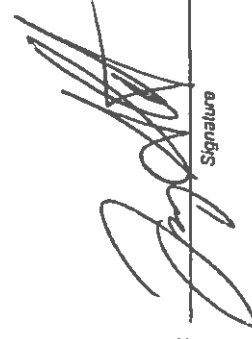
Thank you.

8

**EXECUTIVE COMMITTEE
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Board of Supervisors</u> Special Events	100.006.001.5365	Private donations for veterans recognitions	<u>1,300</u>
<u>Corporation Counsel</u> Legal Services	100.016.001.5716	Ongoing litigation regarding Brown County sales tax	<u>30,000</u>
<u>Executive</u> Contributions	100.029.001.5850	Economic Development	<u>30,912</u>

Approved by County Executive:



Signature

2/28/2020
Date

9, 10, 11

These are the available funds at this time. They may be changed for any audit or adjusting entries.

March 18, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

RESOLUTION APPROVING BUDGET CARRYOVER REQUESTS
FROM 2019 BUDGET TO 2020 BUDGET

WHEREAS, the below departments have submitted requests to carry forward funds from the 2019 budget to the 2020 budget, which requires approval by a 2/3 vote of the full County Board:

<u>DEPARTMENT/PROJECT</u>	<u>AMOUNT REQUESTED*</u>
Administration	30,000
Airport	12,510
Board of Supervisors	1,300
Corporation Counsel	30,000
Executive	30,912
Health & Human Services-Community Services	84,300
Health & Human Services-Public Health	85,934
Parks	42,200
Parks – Donations	10,000
Parks – Boat Landing	60,916
Public Safety Communications	35,000
Sheriff	23,265
Veterans Service Office	21,989

and,

WHEREAS, this resolution is necessary to ensure activities are appropriated and accounted for properly, and this resolution has been approved of and recommended by the relevant oversight committees.

NOW, THEREFORE, BE IT RESOLVED, that the Brown County Board of Supervisors hereby authorizes and approves the above carryover requests.

**Estimated amount calculated at time of resolution. Actual amount may be changed due to audit or adjusting entries.*

Respectfully submitted,

ADMINISTRATION COMMITTEE
EDUCATION AND RECREATION
COMMITTEE
EXECUTIVE COMMITTEE

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HUMAN SERVICES COMMITTEE
PLANNING, DEVELOPMENT &
TRANSPORTATION COMMITTEE
PUBLIC SAFETY COMMITTEE

Approved By:

TROY STRECKENBACH,
COUNTY EXECUTIVE

Date Signed: _____

20-022R

Authored by Administration

Approved by Corporation Counsel's Office

Fiscal Note: This resolution does not require an appropriation from the General Fund. All carryover request amounts have been verified as available by the Department Accountants.

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

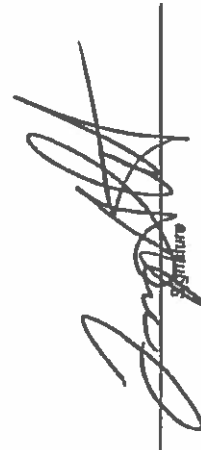
SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

**ADMINISTRATIVE SERVICES DIVISION
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Administration</u>			
Professional Services	100.032.030.5708	Continuation of Laserfiche project	20,000
Supplies-Office	100.032.030.53001.001	2020 Census Public Notice	10,000
			<u>30,000</u>

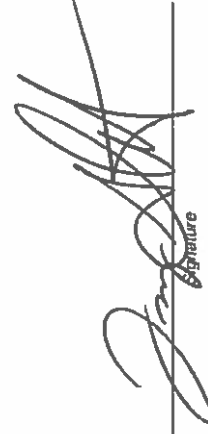
Approved by County Executive:  2/18/2020
Signature Date

These are the available funds at this time. They may be changed for any audit or adjusting entries.

**EDUCATION, CULTURE, & RECREATION DIVISION
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Parks</u>			
Software/Licenses	100.062.001.5335	RecTrac Upgrade	7,700
Outlay - Other (\$5,000+)	100.062.001.6110.100	Truck Replacement	25,000
Outlay - Other (\$5,000+)	100.062.095.001.6110.100	Firewood Locker	9,500
			<u>42,200</u>
<u>Parks - Donations</u>			
Outlay - Other (\$5,000+)	120.062.400.6110.100	Gazebo Donation	<u>10,000</u>
<u>Parks - Boat Landing</u>			
Architect	121.062.084.6181	Bay Shore Master Plan	<u>80,916</u>

Approved by County Executive:



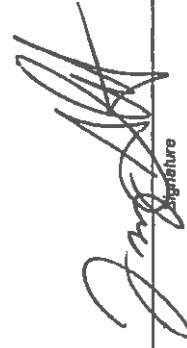
2/12/2020
Date

These are the available funds at this time. They may be changed for any audit or adjusting entries.

**HEALTH & HUMAN SERVICES DIVISION
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Health & Human Services-Community Services</u>	201.076.140.146.6110	Continuation of project implementation - Shelter Care Bathrooms	<u>84,300</u>
<u>Health & Human Services-Public Health</u>			
Outlay	100.060.001.6110.020	Partition panel replacement in Sophie Beaumont Conference Rooms	9,000
Contracted Services	100.060.001.5700	Trauma Informed Care Consulting Services	49,617
Equipment - nonoutlay	100.060.001.5395	Trauma Informed Care Improvements	27,317
			<u>85,934</u>
<u>Veterans Services</u>			
Veteran's Support Services	100.084.001.5370	Funds earmarked for assistance to needy veterans	14,989
Marketing	100.084.011.5310	Transfer from Donations to new line item	7,000
			<u>21,989</u>

Approved by County Executive:



Signature

Date

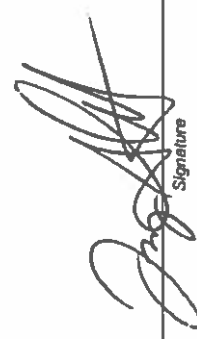
2/18/2020

These are the available funds at this time. They may be changed for any audit or adjusting entries.

2/11/2020

PLANNING, DEVELOPMENT AND TRANSPORTATION
2019 TO 2020 CARRYOVER FUNDS

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Airport</u>			
Software	610.030.001.5335	HVAC software upgrade in progress	12,510
Outlay	610.030.001.6110	PA system upgrade in progress	26,204
Outlay Contra	610.030.001.6110.900		(26,204)
			<u>12,510</u>

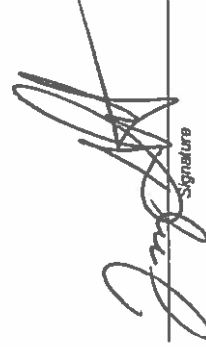
Approved by County Executive:  7/12/2020
Signature Date

These are the available funds at this time. They may be changed for any audit or adjusting entries.

**PUBLIC SAFETY DIVISION
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Public Safety Communications</u> Travel and Training	100.013.001.5340	Motorola CAD System Training	35,000
<u>Sheriff</u> Outlay Equipment	100.074.071.6110 020	Livescan Booking Station ordered 10/8/2019	23,265

Approved by County Executive:



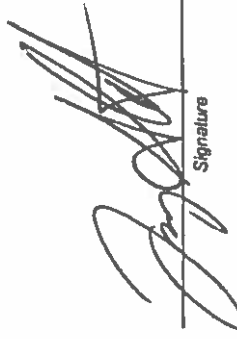
Signature

2/12/2020
Date

These are the available funds at this time. They may be changed for any audit or adjusting entries.

**EXECUTIVE COMMITTEE
2019 TO 2020 CARRYOVER FUNDS**

<u>DEPARTMENT</u>	<u>ACCOUNT #</u>	<u>PURPOSE</u>	<u>AMOUNT REQUESTED</u>
<u>Board of Supervisors</u> Special Events	100.006.001.5365	Private donations for veterans recognitions	<u>1,300</u>
<u>Corporation Counsel</u> Legal Services	100.016.001.5716	Ongoing litigation regarding Brown County sales tax	<u>30,000</u>
<u>Executive</u> Contributions	100.029.001.5850	Economic Development	<u>30,912</u>

Approved by County Executive:  _____
 Signature

7/28/2020
 Date

These are the available funds at this time. They may be changed for any audit or adjusting entries.

March 18, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE
FOR UW EXTENSION LTE CONSERVATION STUDENT INTERN**

WHEREAS, a table of organization request was submitted by the U.W. Extension Department ("Department") to add one (0.21) LTE Conservation Student Intern to their table of organization; and

WHEREAS, the position will be responsible for reviewing manure spill data and developing a summary of root causes to generate recommendations for prevention; and

WHEREAS, this position is fully funded from the Professional Training Program and Professional Nutrient Applicators Association of Wisconsin; and

WHEREAS, Human Resources, in conjunction with the Department, recommends the following changes to the Department's table of organization: the addition of one (0.21) LTE Conservation Student Intern position.

NOW, THEREFORE, BE IT RESOLVED by the Brown County Board of Supervisors that the following changes to the Department's table of organization, as described above and below in the Budget Impact section of this resolution, are hereby approved: add one (0.21) LTE Conservation Student Intern position to the U.W. Extension table of organization; and

BE IT FURTHER RESOLVED, that, should funding for the Position end, said Position will also end and be eliminated from the U.W. Extension table of organization.

Budget Impact: UW-Extension

Annual Budget Impact	FTE	Addition/ Deletion	Salary	Fringe	Total
LTE Conservation Student Intern \$15.00/hr Position #: TBD Hours: 440	0.21	Addition	\$6,600	\$695	\$7,295
Funding from Professional Training Program and Professional Nutrient Applicators Association of Wisconsin					(\$7,295)
Annual Budget Impact					- 0 -

Partial Budget Impact (4/1/20 – 12/31/20)	FTE	Addition/ Deletion	Salary	Fringe	Total
LTE Conservation Student Intern \$15.00/hr Position #: TBD Hours: 440	0.21	Addition	\$4,950	\$521	\$5,471
Funding from Professional Training Program and Professional Nutrient Applicators Association of Wisconsin					(\$5,471)
Partial Budget Impact					- 0 -

Fiscal Note: This resolution does not require an appropriation from the General Fund. The increase in personnel expenses will be offset by funding from Professional Training Program and Professional Nutrient Applicators Association of Wisconsin.

Respectfully submitted,

PLANNING, DEVELOPMENT AND
TRANSPORTATION COMMITTEE
EXECUTIVE COMMITTEE

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

20-023R

Authored by U.W. Extension

Final Draft Approved by Corporation Counsel's Office

HUMAN RESOURCES



305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 2-10-20

REQUEST TO: PD&T, Executive, and County Board

MEETING DATE: 2/24/20, 3/9/20, 3/18/20, Respectively

REQUEST FROM: Judy Knudsen
Director

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE FOR UW EXTENSION LTE CONSERVATION STUDENT INTERN

ISSUE/BACKGROUND INFORMATION:

Hire a student intern for the Conservation Professional Training Program

ACTION REQUESTED:

Add a 0.12 LTE Conservation Student Intern.

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact?
2. Is it currently budgeted? ☐ Yes ☒ No ☐ N/A (if \$0 fiscal impact)
 - a. If yes, in which account? _____
 - b. If no, how will the impact be funded? Funding from Professional Training Program and Professional Nutrient Applicators Association of Wisconsin
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☒
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

March 18, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION ESTABLISHING THE SALARIES OF CERTAIN ELECTIVE
OFFICIALS - COUNTY CLERK, COUNTY TREASURER AND REGISTER OF DEEDS**

WHEREAS, the Brown County Code of Ordinances, and State of Wisconsin Statutes, require that compensation for certain elective County officials be established by the Brown County Board of Supervisors prior to the earliest time for filing nomination papers for such elective offices; and

WHEREAS, the Brown County Board of Supervisors desires to set the compensation for the County Clerk, County Treasurer and Register of Deeds, as more further described below.

NOW, THEREFORE, BE IT RESOLVED that the Brown County Board of Supervisors hereby sets the total annual compensation for the County Clerk, County Treasurer and Register of Deeds, to be effective the first day of the term of office that begins after the date this resolution is adopted, as follows:

Year	County Clerk	Register of Deeds	Treasurer
2020 (Rate approved by resolution on 11/4/15)	\$75,700	\$75,700	\$75,700
2021	\$75,700	\$75,700	\$75,700
2022	\$75,700	\$75,700	\$75,700
2023	\$75,700	\$75,700	\$75,700
2024	\$75,700	\$75,700	\$75,700

and

BE IT FURTHER RESOLVED that each elective official named in this Resolution: 1) is entitled to participate in the Wisconsin Retirement System ("WRS") as authorized by law; and 2) is required to pay his or her share of the total WRS required contribution for the position. Brown County will only pay its share of the total required WRS contribution, the amount elected

15

officials are required to pay for their required WRS contribution may change when the WRS rate is adjusted, and these required contributions will be made pre-tax; and

BE IT FURTHER RESOLVED that each elective official is conditionally eligible for, and may elect to receive, health insurance through Brown County's group health insurance plan. This eligibility for health insurance coverage is expressly subject to the same terms and conditions (e.g., premium contribution, deductibles, co-pays, etc.) that full-time, non-represented employees of Brown County enjoy; and

BE IT FURTHER RESOLVED that each elective official is eligible for, and may elect to participate in, the fringe benefit package provided to full-time, non-represented employees of Brown County. Such eligibility and participation is subject to the same terms and conditions that full-time, non-represented employees of Brown County enjoy.

Fiscal Note: This resolution does not require an appropriation from the General Fund in 2020. It creates structural deficits in proceeding years as outlined in the table.

Respectfully submitted,

ADMINISTRATION COMMITTEE

EXECUTIVE COMMITTEE

Approved By:

TROY STRECKENBACH
COUNTY EXECUTIVE

Date Signed: _____

20-014R

Authored by County Board Office

Final Draft Approved by Corporation Counsel's Office

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 2/5/2020
REQUEST TO: Administration, Executive, and County Board
MEETING DATE: 3/5/20, 3/9/20, 3/18/20
REQUEST FROM: County Board

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION RE: ESTABLISHING THE SALARIES OF CERTAIN ELECTIVE OFFICIALS
COUNTY CLERK, COUNTY TREASURER AND REGISTER OF DEEDS

ISSUE/BACKGROUND INFORMATION:

County Code requires that compensation for certain elective County officials be established by the Brown County Board of Supervisors before the earliest time for filing nomination papers for such elective offices.

ACTION REQUESTED:

Brown County Supervisors to set the compensation for the elected officials

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact? \$0
2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
 - a. If yes, in which account?
 - b. If no, how will the impact be funded?
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ **COPY OF RESOLUTION OR ORDINANCE IS ATTACHED**

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March 18, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

‘SENSE OF THE BOARD’ RESOLUTION
REQUESTING THAT THE WI DNR ESTABLISH STANDARDS
AND PERFORM BASELINE PFAS TESTING

WHEREAS, it is the Sense of the Brown County Board of Supervisors that, in order to alleviate concerns, it would be beneficial to Brown County and its citizens to have the Wisconsin Department of Natural Resources (WI DNR) establish PFAS Standards, and to test both drinking water and waste water in Brown County for the presence of, and levels of, PFAS in order to establish a baseline, and to determine what levels of PFAS, if any, are present; and

WHEREAS, according to the US EPA, per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals. PFAS have been manufactured and used in a variety of industries around the globe, including in the United States since the 1940s. PFOA and PFOS have been the most extensively produced and studied of these chemicals. Both chemicals are very persistent in the environment and in the human body – meaning they don’t break down and they can accumulate over time. There is evidence that exposure to PFAS can lead to adverse human health effects.

NOW, THEREFORE, BE IT RESOLVED, that the Sense of the Brown County Board of Supervisors is that the Wisconsin Department of Natural Resources should establish PFAS Standards, and should test both drinking water and waste water in Brown County for the presence of, and levels of, PFAS in order to establish a baseline to determine what levels of PFAS, if any, are present, and the Brown County Clerk shall forward this resolution to the Wisconsin DNR, to Brown County’s State Legislative Delegation and to the Governor for consideration.

Fiscal Note: This 'Sense of the Board' resolution does not require an appropriation from the General Fund. The mailing cost to carry out this resolution is \$5.60, and is within the existing 2020 Budget.

Respectfully submitted,

EXECUTIVE COMMITTEE

LEGISLATIVE POLICY SIGNING STATEMENT:

I respect the prerogative of the members of the Brown County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy 'Sense of the Board' Resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues and/or to request action by a governmental entity.

Troy Streckenbach
COUNTY EXECUTIVE

Date Signed: _____

20-027R

Authored by: Corporation Counsel at Request of Executive Committee

Approved by: Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

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HUMAN RESOURCES

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 03-04-2020
REQUEST TO: Executive Committee and County Board
MEETING DATE: 03-09-2020 and 03-18-2020, Respectively
REQUEST FROM: David Hemery
Corporation Counsel

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: 'SENSE OF THE BOARD' RESOLUTION REQUESTING THAT THE WI DNR ESTABLISH STANDARDS AND PERFORM BASELINE PFAS TESTING

ISSUE/BACKGROUND INFORMATION:

Resolution supporting establishing PFAS standards, and performing PFAS testing in drinking and waste water.

ACTION REQUESTED:

For Consideration.

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact? \$5.60
2. Is it currently budgeted? ☐ Yes ☐ No ☐ N/A (if \$0 fiscal impact)
 - a. If yes, in which account?
 - b. If no, how will the impact be funded? This 'Sense of the Board' resolution does not require an appropriation from the General Fund. The mailing cost to carry out this resolution is \$5.60, and is within the existing 2020 Budget.
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

March 18, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

'SENSE OF THE BOARD' RESOLUTION
SUPPORTING PASSAGE OF 2019 SENATE BILL 381 REGARDING
ELIMINATING THE STATUTE OF LIMITATIONS FOR CERTAIN SEX OFFENSES

WHEREAS, it is the Sense of the Brown County Board of Supervisors that 2019 Senate Bill 460 (the bill), which eliminates the Statute of Limitations for certain sex offenses, should be passed and enacted into law; and

WHEREAS, according to the analysis by the Legislative Reference Bureau, under current law, the time a person has to bring an action (the statute of limitations) for an injury resulting from being sexually assaulted or subject to incest as a child, or from being subject to sexual contact by a member of the clergy as a child, is any time before the injured party reaches the age of 35. This bill removes the time limit for bringing those actions. In addition, the bill applies this unlimited time period to a broader range of actions. Under the bill, there is no limit on the time a person has to bring an action for injury resulting from being subject, as a child, to any sexual contact by an adult or by an adult member of the clergy. The bill also revives any cause of action that was barred by the present statute of limitations and allows an injured party to bring that action for his or her injury within three years after the effective date of the bill.

NOW, THEREFORE, BE IT RESOLVED, that the Sense of the Brown County Board of Supervisors is that 2019 Senate Bill 381 should be passed and enacted into law, and the Brown County Clerk shall forward this resolution to Brown County's State Legislative Delegation and Governor for consideration.

Fiscal Note: This 'Sense of the Board' resolution does not require an appropriation from the General Fund. The mailing cost to carry out this resolution is \$5.17, and is within the existing 2020 Budget.

Respectfully submitted,

EXECUTIVE COMMITTEE

LEGISLATIVE POLICY SIGNING STATEMENT:

I respect the prerogative of the members of the Brown County Board of Supervisors to voice their opinions on legislative issues. Therefore, it is my practice to neither approve nor veto a legislative policy '*Sense of the Board*' Resolution that has been enacted by the County Board in order to allow the County Board, acting as the legislative branch of county government, to freely express its sentiment on legislative and public policy issues and/or to request action by a governmental entity.

Troy Streckenbach
COUNTY EXECUTIVE

Date Signed: _____

20-028R

Authored by: Corporation Counsel at Request of Executive Committee

Approved by: Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # _____

Motion made by Supervisor _____

Seconded by Supervisor _____

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

SUPERVISORS	DIST.	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				

Total Votes Cast _____

Motion: Adopted _____ Defeated _____ Tabled _____

HUMAN RESOURCES

Brown County

305 E. WALNUT STREET
P.O. BOX 23600
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 03-04-2020
REQUEST TO: Executive Committee and County Board
MEETING DATE: 03-09-2020 and 03-18-2020, Respectively
REQUEST FROM: David Hemery
Corporation Counsel

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution
☐ New ordinance ☐ Revision to ordinance

TITLE: 'SENSE OF THE BOARD' RESOLUTION SUPPORTING PASSAGE OF 2019
SENATE BILL 381 REGARDING ELIMINATING THE STATUTE OF
LIMITATIONS FOR CERTAIN SEX OFFENSES

ISSUE/BACKGROUND INFORMATION:

Resolution supporting prompt action/passage of WI Senate Bill.

ACTION REQUESTED:

For Consideration.

FISCAL IMPACT:

NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact? \$5.17
2. Is it currently budgeted? ☒ Yes ☐ No ☐ N/A (if \$0 fiscal impact)
 - a. If yes, in which account?
 - b. If no, how will the impact be funded? This 'Sense of the Board' resolution does not require an appropriation from the General Fund. The mailing cost to carry out this resolution is \$5.17, and is within the existing 2020 Budget.
 - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1718/1
MLJ:ahc

2019 SENATE BILL 381

August 29, 2019 - Introduced by Senators L. TAYLOR, SCHACHTNER and LARSON, cosponsored by Representatives C. TAYLOR, SARGENT, GRUSZYNSKI, VINING, STUBBS, NEUBAUER, MILROY, L. MYERS, BILLINGS, ANDERSON, BROSTOFF, SUBECK, POPE, CONSIDINE, BOWEN, VRUWINK, SINICKI, SPREITZER and OHNSTAD. Referred to Committee on Insurance, Financial Services, Government Oversight and Courts.

1 **AN ACT** *to renumber and amend* 893.587; *to amend* 893.587 (title); and *to*
2 *create* 893.587 (1) and 893.587 (3) of the statutes; **relating to:** the statute of
3 limitations for sexual contact with a child.

Analysis by the Legislative Reference Bureau

Under current law, the time a person has to bring an action (the statute of limitations) for an injury resulting from being sexually assaulted or subject to incest as a child, or from being subject to sexual contact by a member of the clergy as a child, is any time before the injured party reaches the age of 35.

This bill removes the time limit for bringing those actions. In addition, the bill applies this unlimited time period to a broader range of actions. Under the bill, there is no limit on the time a person has to bring an action for injury resulting from being subject, as a child, to any sexual contact by an adult or by an adult member of the clergy. The bill also revives any cause of action that was barred by the present statute of limitations and allows an injured party to bring that action for his or her injury within three years after the effective date of the bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 893.587 (title) of the statutes is amended to read:
5 **893.587 (title) Sexual assault of contact with a child; limitation.**

SECTION 2. 893.587 of the statutes is renumbered 893.587 (2) and amended to read:

893.587 (2) An action to recover damages against any person for injury caused by ~~an act that would constitute a violation of s. 948.02, 948.025, 948.06, 948.085, or 948.095~~ an adult's sexual contact with anyone under the age of 18 or by an act committed by an adult that would create a cause of action under s. 895.442 shall may be commenced ~~before the injured party reaches the age of 35 years or be barred at~~ any time.

SECTION 3. 893.587 (1) of the statutes is created to read:

893.587 (1) In this section:

(a) “Person” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, or government; governmental subdivision, agency, or instrumentality; public corporation; or any other legal or commercial entity.

(b) "Sexual contact" has the meaning given in s. 940.225 (5) (b).

SECTION 4. 893.587 (3) of the statutes is created to read:

893.587 (3) A cause of action described under sub. (2) that was barred by a statute of limitations or a time limit in effect before the effective date of this subsection [LRB inserts date], is revived and that action may be commenced within 3 years after the effective date of this subsection [LRB inserts date].

(END)